Standards for Special Education

4 A's

Alberta
LEARNING

ALBERTA LEARNING CATALOGUING IN PUBLICATION DATA

Alberta. Alberta Learning. Special Programs Branch.
Standards for Special Education.

ISBN 0-7785-2530-9

1. Special education - Alberta - Handbooks, manuals, etc.
2. Special education - Law and legislation - Alberta.
3. Special education - Alberta - Curricula. I. Title.

LC3984.2.A3.A333 2002 371.9

Formerly: *Guide to Education for Students with Special Needs* (1997).

Writer: Niki Wosnack, Alberta Learning
Editor: Barbara Morban, Alberta Learning

For print copies or further information, contact:
Special Programs Branch
Edmonton, Alberta

Telephone: (780) 422–6326
Toll-free in Alberta: 310–0000

Fax: (780) 422–2039

This document also is available on
Web site: http://www.learning.gov.ab.ca/k_12/specialneeds/

This document applies to grades 1–12, is effective September 1, 2003 and is intended for:

Teachers	✓
Administrators	✓
Parents	✓
General Public	✓
Other	✓

Copyright ©2002, the Crown in Right of Alberta, as represented by the Minister of Learning. Alberta Learning, Edmonton, Alberta. Permission is given by the copyright owner to reproduce this document for educational purposes and on a non-profit basis.

103-04832/

Table of Contents

Foreword 1

Access 3
- Identification 3
- Referral 3
- Assessment 4
- Specialized Assessment 4
- Right of Access to Records 4
- Coordinated Services 5

Appropriateness 6
- Professional Standards 6
- Individualized Program Planning, Implementation and Evaluation 6
- Parent Involvement in Decision-making 8
- Placement 8

Accountability 9
- Reporting – School Board Policy and Procedures 9
- Reporting to Parents 9
- Program Monitoring and Evaluation 9
- Participation in Provincial Assessments 10

Appeals 11

Glossary 12

Appendix A — Legislation — School Act —
- Relevant Sections Relating to Special Education 15

Appendix B — Policy 1.6.1 18

Appendix C — Policy 1.6.2 21

Foreword

Requirements contained in this document apply to grades 1–12 and are effective September 1, 2003.

Standards for Special Education supports Alberta Learning's Business Plan goal to have high quality learning opportunities that ensure the learning system meets the needs of all learners and society.

Special education refers to the education of students with mild, moderate, or severe disabilities and/or those who are gifted and talented. It is founded on the belief that all children can learn and reach their full potential given opportunity, effective teaching and appropriate resources. Instruction, rather than setting, is the key to success and decisions related to the placement of students are best made on an individual basis in a manner that maximizes their opportunity to participate fully in the experience of schooling.

In Alberta, educating students with special needs in inclusive settings is the first placement option to be considered by school boards in consultation with parents and, when appropriate, students. Inclusion, by definition, refers not merely to setting but to specially designed instruction and support for students with special needs in regular classrooms and neighbourhood schools.

Rights and responsibilities related to special education are included in the *School Act*. School boards are required to provide each resident student with identified special needs with access to a special education program. Parents have a right and responsibility to work in partnership with boards to ensure their children's special educational needs are met, subject to limitations based on reasonableness in each circumstance. In every case, the best educational interest of the student is the paramount consideration for decision-making and programming.

Standards for Special Education requires school boards to effectively identify and deliver programs for students with special needs in grades 1–12. It promotes consistent and enhanced quality of educational practice within our province, so that irrespective of location, students with special needs can access appropriate programming and services. Alberta Learning acknowledges the importance of local autonomy, flexibility and choice in meeting the diverse learning needs of students.

This document outlines the requirements for school boards regarding the delivery of education programs and services to students with special needs in grades 1–12. These requirements are organized into the following four areas:

- **Access** — students with special needs are entitled to have access in a school year to an education program in accordance with the *School Act*. Students with special needs receive adapted/modified programs that enable and improve learning.
- **Appropriateness** — educational programs and services are designed around the assessed needs of the student and are provided by qualified staff who are knowledgeable and skilled.
- **Accountability** — The obligation to answer for the execution of one's assigned responsibilities.
- **Appeals** — timely, fair and open processes protect the rights of students and parents and address differences of opinion about the education of students with special needs.

A Glossary is provided to define special education terms. The appendices include relevant sections of the *School Act* relating to special education and two provincial special education policies (updated to reflect changes to sections of the *School Act*).

Thank you to the key partners, stakeholders and parents who provided valuable contributions throughout the development of this document.

Please note that:

- words in **bold** are defined in the Glossary [see pages 12 to 14]
- parent(s) refers to the biological parent or adoptive parent, or the individual who has legal custody or guardianship of the student.

Access

Students with special needs are entitled to have access in a school year to an education program in accordance with the *School Act*. Students with special needs receive **adapted/modified programs** that enable and improve learning.

Identification

Requirement

School boards will:

- develop and implement written procedures for **early identification**, referral and **assessment** of student with special needs
- involve parents and, when appropriate, students in the screening, identification and referral process
- request information from parents that is relevant to the student's education when the student enters the education system
- provide information to school staff and parents that describes characteristics used to identify special needs of students in one or more of the following areas:
  - physical
  - behavioural (i.e., social/adaptive)
  - communicational
  - cognitive/intellectual
  - academic
- make available training for staff that will enhance the school board's ability to identify and program for students with special needs, as early as possible
- develop or utilize formal and informal checklists, screening tools and/or standardized **assessments** that will assist in the **early identification** of students.

Referral

Requirement

School boards will:

- have written procedures for the identification and referral of students requiring **specialized assessment**
- obtain parents' written **informed consent** for referral and **specialized assessment**, as appropriate (in cases when parents refuse consent, the reasons for refusal and/or actions undertaken by the school board to obtain consent and/or resolve concerns will be documented)

- base referrals on a variety of indicators, including:
  - screening procedures
  - teacher **assessment** and observation
  - parent information
  - previous **assessments**.

Assessment

Requirement

School boards will:

- use a variety of appropriate **assessment** strategies and data to determine eligibility for special education programming and services
- report results of **assessments** to parents, teachers and others involved with the student's program
- use results of **assessments** to make decisions, develop Individualized Program Plans (IPPs), assign support services and/or determine **adapted/modified programs** for the student
- use **assessment** data to develop, implement and evaluate the effectiveness of programs and services provided to students with special needs.

Specialized Assessment

Requirement

School boards will:

- complete, when required, **specialized assessments** within a reasonable time from the date of referral (the recommended guideline is within eight weeks unless there are extenuating circumstances), including completion of a written report
- use qualified professionals to conduct **specialized assessments**, interpret results, and provide program recommendations to parents, teachers and others involved with the student's program
- work collaboratively, when applicable, with other service providers and/or appropriate professionals to complete the **specialized assessments**
- follow the expectations, as outlined in Alberta Learning's *Standards for Psycho-educational Assessment*.

Right of Access to Records

Requirement

School boards will:

- provide parents with access to information contained in the student record, including results of **specialized assessments** and student progress reports, in accordance with the *Student Record Regulation*.

Coordinated Services

Requirement

School boards will:

- make provision(s) for students to have access to the coordinated support services (including health-related) they require to meet individualized programming goals and objectives
- develop, keep current and implement written local procedures for access to coordinated services for students with special needs
- obtain written **informed consent** from parents to provide coordinated services to students, when required, and as identified in the student's IPP
- develop collaborative partnerships among parents, educators and service providers
- have written procedures for accessing and recording medical information and for storing and/or administering medications
- provide staff with training (by qualified professionals or other individuals with expertise, including parents) in administering health-related support services to students.

Appropriateness

Educational programs and services are designed around the assessed needs of the student and are provided by qualified staff who are knowledgeable and skilled.

Professional Standards

Requirement

School boards will:

- ensure teacher practice is in keeping with the Teaching Quality Standard
- ensure teachers know and apply the knowledge, skills and attributes to accommodate individual differences for students with special needs
- support teachers' ability to monitor the effectiveness of their practices and adjust practices as necessary.

Individualized Program Planning, Implementation and Evaluation

Requirement

School boards will:

- ensure that an IPP is developed, implemented, monitored and evaluated for each student identified as having special needs
- identify principals as accountable for the delivery and implementation of school-based special education programs and services
- provide teachers of students with special needs with relevant learning resources, classroom support and access to related professional development opportunities.

School principals will:

- ensure that an IPP is developed, implemented, monitored and evaluated for each student identified as having special needs
- identify teacher(s) whose responsibility is to coordinate, develop, implement, monitor and evaluate student IPPs
- ensure the school has a process and **school-based team** to provide **consultation**, planning and problem-solving relating to programming for students with special needs.

Teachers will:

- involve parents and, when appropriate, students and other professionals in the development, implementation, monitoring and evaluation of students' IPPs
- include the following essential information in the IPP:
  - **assessment** data
  - current level of performance and achievement
  - identification of strengths and areas of need
  - measurable goals and objectives
  - procedures for evaluating student progress
  - identification of coordinated support services (including health-related), if required
  - relevant medical information
  - required classroom accommodations (e.g., any changes to instructional strategies, **assessment** procedures, materials, resources, facilities or equipment)
  - **transition** plans
  - year-end summary
- document, in the IPP, the formal review of the student's progress, at regularly scheduled reporting periods
- throughout the year, provide feedback during informal reviews to parents and, when appropriate, students
- make changes to the IPP, as required
- obtain written **informed** parental **consent** on the IPP to indicate agreement with the IPP (in cases when parents refuse consent, document the reasons for refusal and/or actions undertaken by the school to obtain consent and/or resolve concerns)
- ensure the IPP is placed in the student record and access to the IPP complies with the *Student Record Regulation* and Freedom of Information and Protection of Privacy (FOIP) legislation
- provide the paraprofessional (i.e., **teacher assistant**) with direction regarding roles and responsibilities for implementing programming.

Teacher assistants will:

- implement strategies, as directed by the teacher, to realize the student's goals, as outlined in the IPP.

Parent Involvement in Decision-making

Requirement

School boards will:

- ensure parents have the opportunity for participation in decisions that affect the student's education
- ensure parents have the information needed to make informed decisions
- invite meaningful involvement of parents in planning, problem-solving and decision-making relating to the student's education program.

Placement

Requirement

School boards will:

- ensure that educating students with special needs in **inclusive settings** in neighborhood or local schools shall be the first **placement** option considered by school boards, in **consultation** with parents, school staff and, when appropriate, the student
- determine the most enabling **placement** in a manner consistent with provincial special education policies, in **consultation** with parents, and based on current **assessment** data.

Accountability

Accountability is the obligation to answer for the execution of one's assigned responsibilities.

Reporting — School Board Policy and Procedures

Requirement

Schools boards will:

- ensure that (consistent with this standards document, provincial legislation, and provincial policies) local written policies and procedures are developed, kept current, implemented and available to the public
- have written descriptions of local programs and service options for students with special needs available to the public
- have written descriptions of the role of boards and staff who provide programs and services to students with special needs available to the public
- ensure that written local policies and procedures provide for **access, appropriateness, accountability** and **appeals**.

Reporting to Parents

Requirement

School boards will:

- ensure that the student's IPP includes information about the student's current level of performance* and academic achievement relative to identified learner outcomes included in the provincial curriculum
- inform parents of the student's progress, at regularly scheduled reporting periods, throughout the year.

Program Monitoring and Evaluation

Requirement

School boards will:

- use planning, assessing, monitoring and reporting to improve the quality of education provided to students with special needs
- monitor and evaluate the effectiveness of special education programs and services
- report expenditures and report achievements related to special education programs and services as part of the annual planning and reporting cycle.

* performance includes assessed skill development in academic and other areas such as communication, adaptive functioning, behaviour, etc.

Participation in Provincial Assessments

Requirement

School boards will:

- ensure that special provisions for testing*, including school-based and provincial tests, are available to students with special needs throughout the course of the year, as required
- delegate to the superintendent, the responsibility for determining whether an individual student can be excused from writing a provincial achievement test based on the conditions outlined in the *General Information Bulletin**.

* for further details about special provisions for provincial tests see the *General Information Bulletin – Achievement Tests* and *General Information Bulletin – Diploma Exams*

Appeals

Timely, fair and open processes protect the rights of students and parents and address differences of opinion about the education of students with special needs.

Appeals

Requirement

School boards will:

- have written procedures for timely, fair and open dispute resolution and appeals
- establish written procedures to hear appeals from parents regarding decisions that significantly affect the education of students with special needs
- make every reasonable effort at the school and jurisdiction level to resolve concerns collaboratively with parents
- advise parents of their right to formally appeal decisions that significantly affect the education of their children
- provide parents with written copies of procedures to appeal decisions to the board
- advise parents of their right to request that the Minister of Learning review the board's decision if they are not satisfied with the decision.

Glossary

Term	Definition
Access	Students with special needs are entitled to have access in a school year to an education program in accordance with the *School Act*. Students with special needs receive adapted/modified programs that enable and improve learning.
Accountability	The obligation to answer for the execution of one's assigned responsibilities.
Adapted program	An adapted program retains the learning outcomes of the prescribed curriculum and adjustments to the instructional process are provided to address the special needs of the student.
Appeals	Timely, fair and open processes that protect the rights of students and parents, and address differences of opinion about the education of students with special needs.
Appropriateness	Educational programs and services are designed around the assessed needs of the student and are provided by qualified staff who are knowledgeable and skilled.
Assessment	The ongoing process of collecting information about a student using a number of formal and informal methods across a variety of domains relevant to performance (e.g., assessed skill development in academic and other areas such as communication, adaptive functioning, behaviour, etc.) to develop and implement an appropriate program to support student learning.

Term	Definition
Consultation	A process in which parents, school staff and appropriate others share information relevant to the student's educational program. Parents and, where appropriate, students are involved in decision-making.
Early Identification	The process used to identify students with special needs at the earliest possible time, prior to or subsequent to their entry into school.
Inclusive Settings (Inclusion)	Inclusion, by definition, refers not merely to setting but to specially designed instruction and support for students with special needs in regular classrooms and neighbourhood schools. Instruction, rather than setting, is the key to success and decisions related to the placement of students are best made on an individual basis in a manner that maximizes their opportunity to participate fully in the experience of schooling.
Informed Consent	Informed consent means that the individual: • has been provided with all information relevant to the activity for which consent is sought • understands and agrees, in writing, to the carrying out of the activity for which his or her consent is sought • understands that the granting of consent is voluntary and may be withdrawn at anytime.
Modified program	A modified program has learning outcomes, which are significantly different from the provincial curriculum and are specifically selected to meet the student's special needs.
Placement	The setting in which the special education program or service is delivered to the student.
School-based Team	The team may consist of the school administrator, a classroom teacher, a special education teacher, a student's parent(s) and, where appropriate, the student.

Term	Definition
Specialized Assessment	Specialized assessments, including psycho-educational assessments, measure areas of functioning and/or development beyond the academic. A specialized assessment is an individualized or standardized measurement across a variety of domains relevant to a student's social and educational performance (e.g., intellectual, personality/emotional, behavioural) for the purpose of providing an appropriate program.
Teacher Assistant	A person who works under the direction of a certificated staff member and who assists in the implementation of the student's Individualized Program Plan (IPP).
Transition	The consultative process that involves the student, parent, other professionals, receiving school and staff, and community agencies, as appropriate, to enable students to prepare for and successfully make changes (school entry, between grades/levels of schooling and upon school completion).

Legislation

SCHOOL ACT (Revised Statutes of Alberta 2000 Chapter S-3)
RELEVANT SECTIONS RELATING TO SPECIAL EDUCATION

Preamble

WHEREAS the best educational interests of the student are the paramount considerations in the exercise of any authority under this Act;

WHEREAS parents have a right and a responsibility to make decisions respecting the education of their children;...

Limitations

2 The exercise of any right or the receipt of any benefit under this Act is subject to those limitations that are reasonable in each circumstance under which the right is being exercised or the benefit is being received.

1988 cS-3.1 s2

Right of access to education

8 (1) Every individual

(a) who at September 1 in a year is 6 years of age or older and younger than 19 years of age, and

(b) who is

(i) a Canadian citizen,

(ii) lawfully admitted to Canada for permanent residence,

(iii) a child of a Canadian citizen, or

(iv) a child of an individual who is lawfully admitted to Canada for permanent or temporary residence

is entitled to have access in that school year to an education program in accordance with this Act.

(2) A board may permit an individual

(a) who at September 1 in a year is younger than 6 years of age or older than 18 years of age, and

(b) who complies with subsection (1)(b),

to have access in that year to an education program in accordance with this Act.

1988 cS-3.1 s3;1990 c36 s3

Responsibility to students

45 (1) A board shall ensure that each of its resident students is provided with an education program consistent with the requirements of this Act and the regulations.

(2) Subject to subsection (3) and section 13(3), a board shall direct a resident student of the board to enroll in and attend a particular school operated by the board.

(3) A board shall enroll a resident student of the board or of another board in the school operated by the board that is requested by the parent of the student if, in the opinion of the board asked to enroll the student, there are sufficient resources and facilities available to accommodate the student.

(4) Notwithstanding subsection (3), a board may direct a student who requests enrolment in a senior high school program beyond a 3rd school year to attend a school designated by the board.

(5) A board shall enroll a resident student of the Government in a school operated by the board as requested by the Minister.

(6) A parent of a student enrolled in a school shall not request that the student be enrolled in another school during a school year unless the board operating the other school consents.

(7) A board shall provide to each student enrolled in a school operated by the board an education program consistent with the requirements of this Act and the regulations that will give the student the opportunity to meet the standards of education set by the Minister.

(8) A board shall ensure that each student enrolled in a school operated by the board is provided with a safe and caring environment that fosters and maintains respectful and responsible behaviours.

1988 cS-3.1 s28;1990 c36 s13;1994 c29 s13;1997 c25 s7;1999 c28 s9

Special education program

47 (1) A board may determine that a student is, by virtue of the student's behavioural, communicational, intellectual, learning or physical characteristics, or a combination of those characteristics, a student in need of a special education program.

(2) Subject to section 48, a student who is determined by a board to be in need of a special education program is entitled to have access to a special education program provided in accordance with this Act.

(3) Before a board places a student in a special education program it shall

(a) consult with the parent of that student, and

(b) where appropriate, consult with the student.

1988 cS-3.1 s29;1993 c24 s8

Special Needs Tribunal

48 (1) A board may determine that a student has special needs that cannot be met in an education program that can be provided by the board under any other provision of this Act.

(2) If a board makes a determination under subsection (1) in respect of a student, the board shall refer the matter to a Special Needs Tribunal, which shall confirm the board's determination or determine that the board is able to provide the student with an education program that is appropriate to the needs of the student.

(3) If a Special Needs Tribunal confirms the determination of a board under subsection (1), it shall develop or approve a special needs plan that is consistent with the needs of the student and, in accordance with that plan, shall

(a) determine the relationship between the student, the board and any other person or government that may provide the services required under the special needs plan, and

(b) apportion the cost of providing the services required under the special needs plan between the board and the Government.

(4) If a Special Needs Tribunal determines that a board is able to provide the student with an education program that is appropriate to the needs of the student, the board shall provide the student with that education program.

(5) A board and the parent of a student in respect of whom a determination has been made under subsection (1) shall comply with decisions and determinations made by a Special Needs Tribunal under this section.

(6) A decision made by a Special Needs Tribunal under subsection (3) or this subsection shall be reviewed by the same or any other Special Needs Tribunal at least every 3 years after the decision is made until the student is no longer entitled to have access to an education program under this Act.

(7) The Minister may establish one or more Special Needs Tribunals for the purposes of this section.

(8) For the purpose of carrying out its powers under this section, a Special Needs Tribunal and each of its members have the powers of a commissioner under the *Public Inquiries Act*.

(9) A parent or a board may request in writing that the Minister review a decision made by a Special Needs Tribunal under this section.

1988 cS-3.1 s30;1990 c36 s14;1993 c24 s9

Appeal to board

123(1) The failure of a person to make a decision is deemed to be a decision that may be appealed under this Division.

(2) Where a decision of an employee of a board significantly affects the education of a student,

(a) the parent of the student, and

(b) in the case of a student who is 16 years of age or older, the student,

or either of them may within a reasonable time from the date that the parent or student was informed of the decision appeal that decision to the board.

(3) For the purposes of this Act, a decision of an employee authorized by a board under section 61(1) to make the decision is deemed to be a decision of the board.

(4) A person who may review a student record under section 23 may appeal to a board a decision of an employee of the board respecting access to or the accuracy or completeness of the student record within a reasonable time from the date that the parent or student was informed of the decision.

(5) For the purposes of hearing appeals under this section, a board shall establish an appeal procedure by resolution.

(6) A board may establish one or more committees for the purpose of carrying out the board's responsibilities under this section.

(7) A board may make any decision that it considers appropriate in respect of the matter that is appealed to it under this section.

(8) A board shall make a decision under this section forthwith after receiving an appeal and shall report that decision to the person making the appeal forthwith.

1988 cS-3.1 s103;1990 c36 s28

Review by the Minister

124(1) If a board makes a decision on an appeal to it or otherwise with respect to

(a) the placement of a student in a special education program,

(b) a matter referred to in section 10,

(c) a home education program,

(d) the expulsion of a student, or

(e) the amount and payment of fees or costs,

the parent of a student affected by the decision or the student if the student is 16 years of age or older may request in writing that the Minister review the decision of the board.

(2) Where a dispute arises

(a) as to the amount of fees that are payable by a board to another board under Part 3, or

(b) as to which board is responsible for a student,

a board or other person that is a party to the dispute may request in writing that the Minister review the matter.

(3) A person who may review a student record under section 23 may request in writing that the Minister review a decision of the board, whether made on an appeal to it or otherwise, respecting access to or the accuracy or completeness of the student record.

1988 cS-3.1 s104;1990 c36 s29

Powers on review

125(1) The Minister may review a matter as requested in accordance with this Act or the regulations and may review the matter in any manner the Minister considers appropriate in the circumstances.

(2) Where

(a) the Minister reviews a matter under subsection (1), and

(c) the parties to the dispute are unable to settle the matter,

the Minister may, subject to this Act and the regulations, make whatever decision with respect to the matter in dispute that appears to the Minister to be appropriate in the circumstances, and that decision is final.

1988 cS-3.1 s105;1990 c36 s30;1993 c24 s15;1997 c25 s18

Educational Placement of Students with Special Needs
Policy 1.6.1
(April 1997-updated October 2002 to reflect new School Act sections)

BACKGROUND

Most Alberta students with special needs are placed in regular classrooms in their neighbourhood or local schools. The availability of these placements benefit students with special needs. Successful placement depends on such factors as adequate teacher training, learning resources and guidance by administrators.

The placement of students with special needs in regular school programs is based on a philosophy of equality, sharing, participation, and the worth and dignity of individuals. Most Albertans agree that students with special needs must be full participants in school and society. These students have the right to take part in regular school activities, and when they do so, they have a better chance of developing their full potential. School boards are ultimately responsible for making placement decisions that are in the best interests of individual children and of all the children they serve.

POLICY

Educating students with special needs in regular classrooms in neighbourhood or local schools shall be the first placement option considered by school boards, in consultation with students, parents/ guardians and school staff.

STATUTE

School Act R.S.A. 2000— Preamble

WHEREAS the best educational interests of the student are the paramount considerations in the exercise of any authority under this *Act*; and

WHEREAS parents have a right and a responsibility to make decisions respecting the education of their children.

Special education program

47(1) A board may determine that a student is, by virtue of the student's behavioural, communicational, intellectual, learning or physical characteristics, or a combination of those characteristics, a student in need of a special education program.

(2) Subject to section 48, a student who is determined by a board to be in need of a special education program is entitled to have access to a special education program provided in accordance with this *Act*.

(3) Before a board places a student in a special education program it shall
   (a) consult with the parent of that student, and
   (b) where appropriate, consult with the student.

Other sections:

s.8 Right of access to education
s.45 Responsibility to students
s.48 Special Needs Tribunal
s.123 Appeal to board
s.124 Review by the Minister
s.125 Powers on review

ADDITIONAL DEFINITIONS

In this policy:

1 "students with special needs" mean:

   (1) students described in section 47(1) of the *Act* as being in need of special education programs because of their behavioural, communicational, intellectual, learning or physical characteristics;

   (2) students who may require specialized health care services; or

   (3) who are gifted and talented.

2 "education program for a student with special needs" means a program based on the results of ongoing assessment and evaluation, and includes an Individualized Program Plan (IPP) with specific goals and objectives and recommendations for educational services that meet the student's needs.

3 "Individualized Program Plan" (IPP) means a concise plan of action designed to address the student's special needs, and is based on diagnostic information, which provides the basis for intervention strategies. All students with special needs, from severely disabled to the gifted and talented, require an IPP.

4 "integration" means the practice of meeting the physical, intellectual, social and emotional needs of students with special needs in regular classes in neighbourhood or local schools with non-disabled, same-aged peers and with appropriate support.

5 "regular classroom" means a setting in which students are brought together for instructional purposes with program accommodations to meet the diverse and unique needs of each student.

6 "neighbourhood or local school" means the school a child would normally attend with siblings and neighbours.

7 "consultation" means a process that gives parents/guardians of a student with special needs the opportunity to help make decisions about all aspects of placement and programming. Consultation includes conferencing and meeting with school staff.

PROCEDURES

1 School boards are responsible for ensuring that students with special needs receive adequate special education programs; have access to the most enabling setting that meet their needs; have regular opportunities to interact with their peers, to enjoy the life of the school and to participate in local community activities; and have access to specialized classes and services as required.

2 Consistent with section 47 of the *Act,* school boards shall make decisions regarding programs for students with special needs by identifying, assessing and placing students with special needs; developing and implementing IPPs; and evaluating the individual progress of students with special needs.

3 Consistent with section 47(3) of the *Act,* school boards shall provide for meaningful parental consultation and involvement in decisions that affect their children. School boards shall consult parents regarding each of the program areas described in procedure 1. To the fullest extent possible parents shall have choices regarding program options and be involved in the development of the child's IPP.

4 School boards shall develop, keep current and implement written policies and procedures regarding education programs for students with special needs consistent with provincial policy and procedures on educational placement.

5 School boards are responsible for advising and informing parents of their right to appeal administrative decisions affecting the education of their children (section 123); and in their right to have the Minister to review the board's decision (section 124).

6 School boards should consider involving students, parents, teachers, administrators and representatives of community agencies in the development of placement policies and procedures, where appropriate.

7 The IPPs of students with special needs will identify:
   (1) special education and related services to be provided;
   (2) long-term goals and short-term objectives;
   (3) assessment procedures and diagnostic information on which the plan is based;
   (4) review dates, results and recommendations;
   (5) placement plans for students who are served outside the regular classroom; and
   (6) placement plans to reintroduce students to the regular classroom who have previously been withdrawn.

8 School boards are responsible for ensuring that program placement decisions involving students with special needs are based on appropriate and well-documented student assessments.

9 School boards are responsible for providing teachers of students with special needs with adequate learning resources and other classroom support, as well as appropriate inservice training and access to professional development opportunities.

10 In developing and implementing programs for students with special needs, school boards shall identify the key professional responsible for coordinating and monitoring a student's program.

11 Alberta Learning's funding to school boards support the placement of students with special needs by allowing flexibility in making decisions about programs.

12 As described in section 48 of the *Act*, if a school board determines that a student has special needs that cannot be met in an education program, the board may refer the matter to a Special Needs Tribunal.

13 Alberta Learning is responsible for monitoring programs and services provided to students.

REFERENCES
Please refer to the following for additional information:

Funding Manual for School Authorities

Learning Resources Centre (LRC)

Programming for Students with Special Needs

Review by the Minister (Policy 3.5.1)

Special Needs Tribunal (Policy 3.5.2)

Standards for Special Education (formerly the *Guide to Education for Students with Special Needs*)

Special Education

(February 1997 - Updated October 2002 to reflect new School Act sections)

BACKGROUND

Under the terms of the *School Act R.S.A. 2000*, Alberta Learning has made special provision for the education of students with special needs. Through the years, special education programs have been developed to address the special needs of such students. The *Act* holds boards responsible for providing special education programs for students identified as having special needs which includes students with educational disabilities and for gifted and talented students. Alberta Learning supports school boards in the provision of special education programs. Private schools also may meet eligibility requirements to access special education funding from Alberta Learning.

POLICY

School authorities are required to provide special education programs based on Individualized Program Plans (IPPs) designed to meet the educational needs of identified exceptional students.

STATUTE

School Act R.S.A. 2000

Limitations

2 The exercise of any right or the receipt of any benefit under this *Act* is subject to those limitations that are reasonable in each circumstance under which the right is being exercised or the benefit is being received.

Special education program

47 (1) A board may determine that a student is, by virtue of the student's behavioural, communicational, intellectual, learning or physical characteristics, or a combination of those characteristics, a student in need of a special education program.

(2) Subject to section 48, a student who is determined by a board to be in need of a special education program is entitled to have access to a special education program provided in accordance with this *Act*.

(3) Before a board places a student in a special education program it shall

(a) consult with the parent of that student, and

(b) where appropriate, consult with the student.

Appeal to board

123(2) Where a decision of an employee of a board significantly affects the education of a student

(a) the parent of the student, and

(b) in the case of a student who is 16 years of age or older, the student,

or either of them may within a reasonable time from the date that the parent or student was informed of the decision appeal that decision to the board.

Review by the Minister

124(1) If a board makes a decision on an appeal to it or otherwise with respect to

(a) the placement of a student in a special education program...

the parent of a student affected by the decision or the student if the student is 16 years of age or older may request in writing that the Minister review the decision of the board.

Other sections:

s.8 Right of access to education
s.23 Student records
s.45 Responsibility to students
s.48 Special Needs Tribunal
s.125 Powers on review

ADDITIONAL DEFINITIONS

In this policy,

1 "school authorities" includes any school board or funded accredited private school;

2 "students with special needs" mean:

(1) students described in section 47(1) of the *Act* as being in need of special education programs because of their behavioural, communicational, intellectual, learning or physical characteristics; or

(2) students who may require specialized health care services; or

(3) students who are gifted and talented.

3 "Individualized Program Plan" (IPP) means a concise plan of action designed to address the student's special needs, and is based on diagnostic information which provides the basis for intervention strategies. All students with special needs, from severely disabled to gifted and talented, require an IPP.

PROCEDURES

1 School authorities are responsible for the:

(1) identification, assessment and placement of exceptional students;

(2) development and implementation of Individualized Program Plans (IPP); and

(3) evaluation of the individual progress of exceptional students.

2 The IPPs of students with special needs will identify:

(1) special education and related services to be provided;

(2) long-term goals and short-term objectives;

(3) assessment procedures and diagnostic information on which the plan is based;

(4) review dates, results and recommendations;

(5) placement plans for students who are served outside the regular classroom; and

(6) placement plans to reintroduce students to the regular classroom who have previously been withdrawn.

3 School authorities shall develop, keep current and implement written policies and procedures regarding education programs for students with special needs, consistent with provincial policies and procedures.

4 Alberta Learning provides information and advice related to the development, implementation and evaluation of education programs for students with special needs.

5 Alberta Learning provides direction to school boards for determining the educational placement of students under a specific policy found in *Educational Placement of Students with Special Needs* (Policy 1.6.1).

6 Alberta Learning provides direction to boards regarding the consultation of parents in placement decisions and in the development, implementation and evaluation of Individualized Program Plans through its policy found in *Educational Placement of Students with Special Needs* (Policy 1.6.1).

7 School authorities shall establish a procedure to hear appeals regarding decisions which significantly affect the education of students, including those with special needs.

REFERENCES

Please refer to the following for additional information:

Guide to Education: ECS to Grade 12

Learning Resources Centre (LRC)

Programming for Students with Special Needs

Review by the Minister (Policy 3.5.1)

Special Needs Tribunal (Policy 3.5.2)

Standards for Special Education (formerly the *Guide to Education for Students with Special Needs*)